

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

September 18, 2006

CALL TO PODIUM:

Jacqueline Marsh

RESPONSIBLE STAFF:

Jacqueline Marsh, Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing "JOINT"
	Historic District Commission
	Consent Item
	Ordinance
	Resolution
X	Policy Discussion
	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	7-19-06
	7-26-06
Hearing Date	8-7-06
Record Held Open	9-8-06
Policy Discussion	9-18-06

TITLE: SDP-06-002

Amend the previously approved Schematic Development Plan, SDP-00-002, The Crescents at Quince Orchard Park office to a private educational institution for 13,000 square feet of the previously approved building. The remaining 9,900 square feet will be office. The subject property is located at 900 Wind River Lane.

SUPPORTING BACKGROUND:

At their meeting of September 6, 2006, the Planning Commission recommended approval of this SDP amendment to the Mayor and City Council with four (4) conditions.

Attached is the Index of Memoranda and the additional exhibits received since the joint public hearing on August 7, 2006, and prior to the closing of the City Council's record on September 8, 2006. These exhibits are listed in bold type on the Index of Memoranda. Staff will give a brief summary and requests guidance from the Council. If approved by the City Council, this plan will go forward to the Planning Commission for Final Site Plan review.

Attached:

Index of Memoranda
Exhibits

DESIRED OUTCOME:

Provide staff guidance

Joint Public Hearing, August 7, 2006
Planning Commission Recommendation, September 6, 2006

Index of Memoranda
SDP-06-002
The Crescents at Quince Orchard Park
Lot 6

Number	Exhibit
1.	Application
2.	Site location map
3.	Vicinity Map
4.	Application Appendix: Project Overview
5.	Playground equipment information
6.	Notice to include legal ad for Joint Public Hearing, in the July 19 and 26, 2006, issues of the <i>Gaithersburg Gazette</i>
7.	Public Hearing notice, sent July 14, 2006 to required parties
8.	SDP-06-002 – Site Plan
9.	SDP-06-002 – Landscape Plan
10.	SDP-06-002 – Landscape Details and Notes
11.	SDP-06-002 – Forest Conservation Plan (Two sheets)
12.	SDP-06-002 – Soil Erosion, Sediment Control and SWM Plan
13.	SDP-06-002 – Storm Drain and Paving Plan
14.	SDP-06-002 – Elevations
15.	Subdivision Record Plat – Lot 6 – Quince Orchard Crescent
16.	Mayor and City Council Cover Sheet for Joint Public Hearing (8-7-06)
17.	Aerial location map, presented at Joint Public Hearing (8-7-06)
18.	Project Overview, presented at Joint Public Hearing (8-7-06)
19.	Portion of Building Layout, presented at Joint Public Hearing (8-7-06)
20.	Illustrative Site Plan, presented at Joint Public Hearing (8-7-06)
21.	Render Elevations, presented at Joint Public Hearing (8-7-06)

- 22. Traffic Circulation Exhibit, presented at Joint Public Hearing (8-7-06)
- 23. **Minutes from Joint Public Hearing (8-7-06)**
- 24. **Amended Exhibit #8 – SDP-06-002 - Site Plan**
- 25. **Amended Exhibit #9 – SDP-06-002 - Landscape Plan**
- 26. **Letter from Jim Worley, submitted August 28, 2006**
- 27. **Planning Commission minutes – August 3, 2005**
- 28. **Staff Analysis**
- 29. **Planning Commission cover sheet for September 6, 2006 meeting**
- 30. **CPC Planning Commission's Recommendation of September 6, 2006**

and public input. Council Members Schlichting and Marraffa expressed opposition to move to introduce stating that the approach of a redevelopment moratorium on aging properties is bad policy for the City. City Council Member Alster stated that the proposed ordinance should be introduced to allow for public discussion which is in the best interest of the City.

City Manager Humpton was directed to schedule a vote to introduce the proposed ordinance for a redevelopment moratorium when all City Council Members are present.

Mayor Katz returned at approximately 8:52 p.m.
and presided over the remainder of the meeting.

X. JOINT PUBLIC HEARING

1. **JOINT – SDP-06-002, The Goddard School, Application Requests to Amend the Previously Approved Schematic Development Plan, SDP-00-002, the Crescent at Quince Orchard Park. The Current Application (SDP-06-002) Requests a Change of Use From Office to a Private Educational Institution for 14,517 Square Feet of the Previously Approved Building. The Remaining 8,383 Square Feet will be Office. The Subject Property is Located at 900 Wind River Lane, Lot 6, Quince Orchard Park Crescent, and is in the Mixed Use Development (MXD) Zone**

Planner Marsh introduced the above joint public hearing stating it was advertised in the *Gaithersburg Gazette* on July 19 and 26, 2006, and the property properly posted. She stated that 14 exhibits exist in the record file. Ms. Marsh oriented the Mayor and City Council to the site.

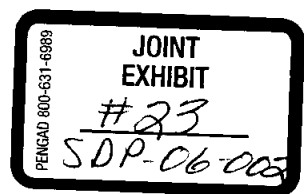
Jim Worley, applicant for The Goddard School, discussed the project with the Mayor and City Council stating that they are requesting a change in use for the site. He stated that the school will focus on early childhood education. He reviewed the concept sketch and building layout of the facility.

Brian Donnelly, Civil Engineer, Macris, Hendricks, and Glascock, representing the applicant, stated that the schematic development plan was previously approved as office use for 22, 900 square feet and the applicant is proposing to convert 14,157 square feet of the office to an educational institution. He reviewed the primary points of access, traffic flow, parking and architectural modifications and the greenspace increase in the plan.

Several City Council Members and Commissioners questioned the school's hours of operation, parking spaces, parent drop off and pick up, traffic patterns, bus outings, truck deliveries and playground areas.

Speaker from the public:

Larry Seeger, Fernshire Farms, stated the association has met with the applicants, but have not formally presented the plan to the community. He expressed support for the change of use on the site. He recommended that the City Council and Commission investigate the traffic on Route 124 in relation to pending proposals and existing facilities in the area.



There were no other speakers at the hearing.

Motion was made by Commissioner Winborne, seconded by Commissioner Levy, to close the Planning Commission record for SDP-06-002 on August 28, 2006.

Vote: 5-0

Motion was made by Council Member Marraffa, seconded by Council Member Alster, to close the City Council record for SDP-06-002 on September 8, 2006.

Vote: 4-0

2. **An Ordinance to Amend Chapter 13 of the City Code Entitled "Landlord Tenant Relations," to Create a New Section 13-38 Entitled "Relocation Assistance" so as to Require Multi-Family Property Owners to Provide Additional Relocation Assistance to Tenants Displaced by Redevelopment**

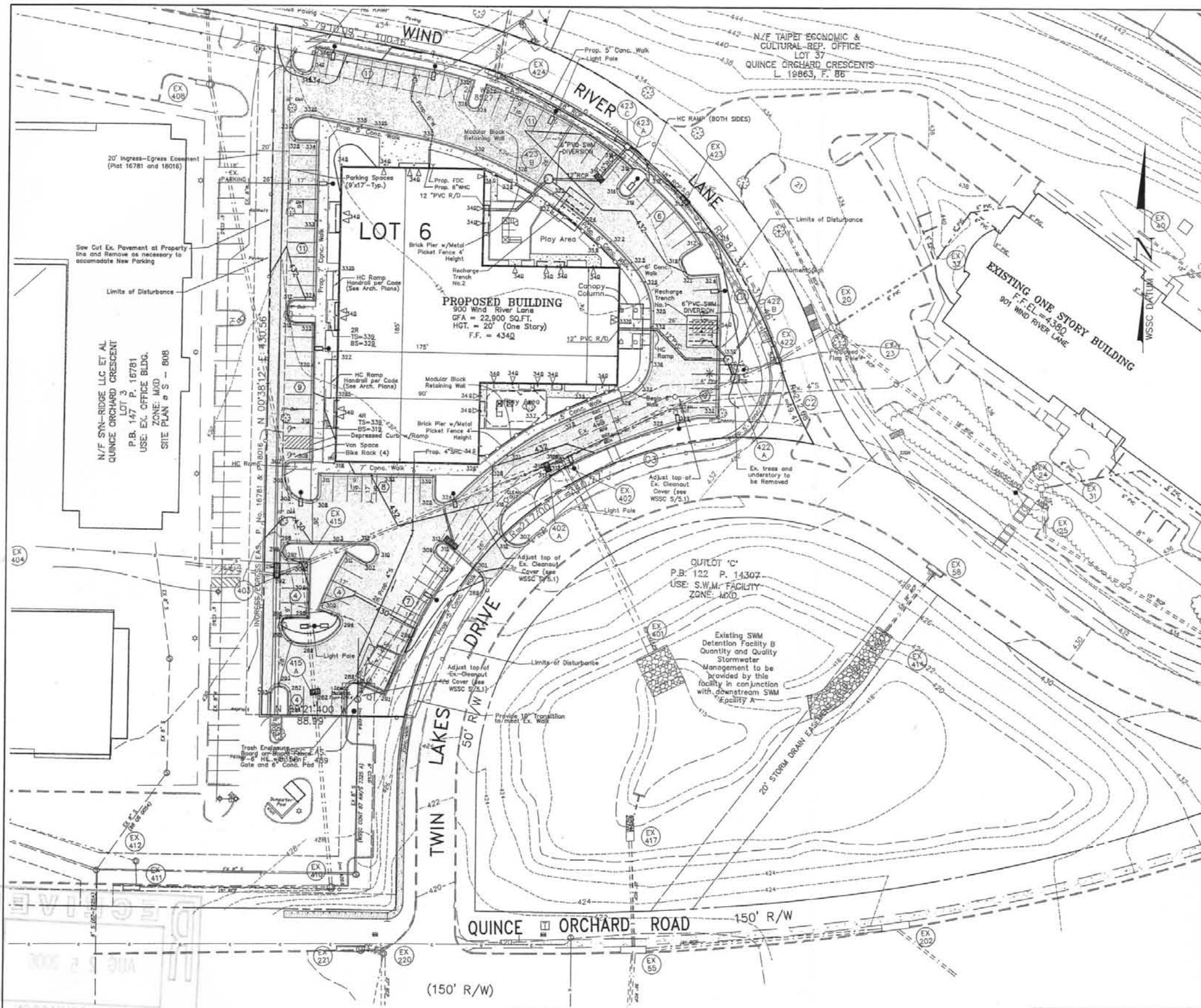
Assistant City Manager Felton stated the proposed ordinance was introduced on July 17, 2006 and advertised in the *Gaithersburg Gazette* on July 19, 2006. He stated the potential exists that a number of multi-family communities in the City could be redeveloped in the near future, and staff believe that the existing County requirement of two (2) months rent s relocation assistance would not be adequate to prevent hardships for many of these potentially displaced tenants. The proposed ordinance would require property owners to pay an additional one and one half (1-1/2 month's rent to each leaseholder displaced by pending demolition or redevelopment.

Speakers from the public were:

1. *Pete Exis, former West Deer Park resident*, expressed support for the above ordinance stating that the 3-1/2 months is adequate for the relocations.
2. *Kenneth Joholske, former West Deer Park resident*, supports the additional funds for relocation of tenants. He suggested a committee be formed to work with tenants being displaced due to redevelopment.
3. *Thomas Cowley , Gaithersburg resident, Member of Action in Montgomery*, stated that the lack of a comprehensive affordable housing policy had consequences and impacted the displaced West Deer Park Apartment tenants. He expressed support for the additional rent to tenants to prevent hardships. On behalf of Action in Montgomery, he called for a 120 day-residential deferral to address pending redevelopment.
4. *Linda Gore, 60 Oak Shade Road*, supports the additional rental assistance and encouraged the City to slow down and introduce a redevelopment moratorium ordinance to further address affordable housing. She expressed concern with replacing affordable housing units due to redevelopment.

Motion was made by Council Member Alster, seconded by Council Member Schlichting, to close the City Council record for the above Ordinance on August 16, 2006.

Vote: 4-0



CITY OF GAITHERSBURG MAYOR & COUNCIL
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

SCHEMATIC DEVELOPMENT PLAN APPROVAL

AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON _____ WAS GRANTED

SCHEMATIC DEVELOPMENT PLAN APPROVAL

BY RESOLUTION _____ WITH _____ CONDITIONS.

DATE _____ BY _____

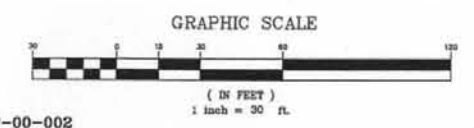
NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE MAYOR & CITY COUNCIL.



1. Project Description: Lot 6 83,426 sq. ft. or 2.03 acres
900 Wind River Lane / Tax ID# 02900216 (Pb 159/P 18022)
2. Existing Zoning MXD (Per Text Amendment Z-275)
3. Building Summary:
Gross Floor Area * = 22,900 sq. ft. (Total)
Use = Office = 9,900 sq. ft.
Educational Institution = 13,000 sq. ft.
Building Height = 21 feet
- * Per previously approved Schematic Development Plan, SDP-002
4. Green Area Required = 25.0% (22,106 sq. ft.)
Green Area Provided = 30.7% (25,600 sq. ft.)
5. Parking Tabulation:
Office 9,900 s.f. + 300 s.f. per space = 33 spaces
Educational Institution 33 emp x 1 space per employee = 33 spaces
REQUIRED Parking = 66 spaces
- 17 spaces located at the educational institution entrance will be designated as "parent drop off", between the hours of 7:00-9:30 am and 3-6:00 pm. Additional parking has been provided at a rate of 1.5 spaces per employee [(33 x 1.5=50) + 33= 83 spaces]
Standard Spaces 78 spaces
Handicapped 4 spaces
PROVIDED (Total) 83 spaces
6. Int. Landscape Required = 5.0% or 1,972 sq. ft.
Int. Landscape Provided = 14.8% or 5,750 sq. ft.
Total Parking Compound = 39,450 sq. ft.

NOTES

1. All perimeters, paving edges, and islands shall be curbed.
2. Curbs, gutters, sidewalks, and paving shall be installed in
3. All paving, storm drainage, utilities, and improvements on such a manner as to provide positive drainage of all areas so there is no accumulation of surface water.
4. See approved Forest Stand Delineation and Approved Forest Conservation Master Plan for environmental requirements.
5. this parcel are private and the maintenance is the responsibility of the owner including building, parking, amenities, landscaping, signs, etc. to be completed in one phase.
6. Pursuant to 24-1600.9(b)(2) a waiver of the requirement for a Schematic Development Plan to contain a minimum of 100,000 sq. ft. of proposed office development has been granted as part of SDP-00-002, dated Feb. 5, 2001.
7. The site is absent any one hundred year floodplains, forest, or streams.



#SDP-00-002
TAX MAP FS 123

WSSC 222 NW 11

SCHEMATIC DEVELOPMENT PLAN SITE PLAN

QUINCE ORCHARD CRESCENTS

LOT 6 (P.B. 159 P. 18016)

9TH ELECTION DISTRICT - City Of Gaithersburg - MARYLAND

Macris, Hendricks & Glascock, P.A.

Engineers • Planners • Surveyors

(301) 570-0840 Suite 120
FAX (301) 948-0683 9220 Wighman Road
WWW.MHGA.COM Montgomery Village, Maryland
20886-1279

Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

A MARYLAND REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT SEAL AND SIGNATURE ON PLANS WILL BE ACCEPTED AS PRIMA FACIE EVIDENCE THAT PLANS ARE IN COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS

APPLICANT
Goddard School
2080 Yellow Springs Road
Frederick, Maryland 21702
Tel: (301) 631-6699
Fax: (301)-682-7088

ARCHITECT
See Lin & Associates
4340 East West Highway, Suite 105
Bethesda, Maryland 20814
(301) 986-9300

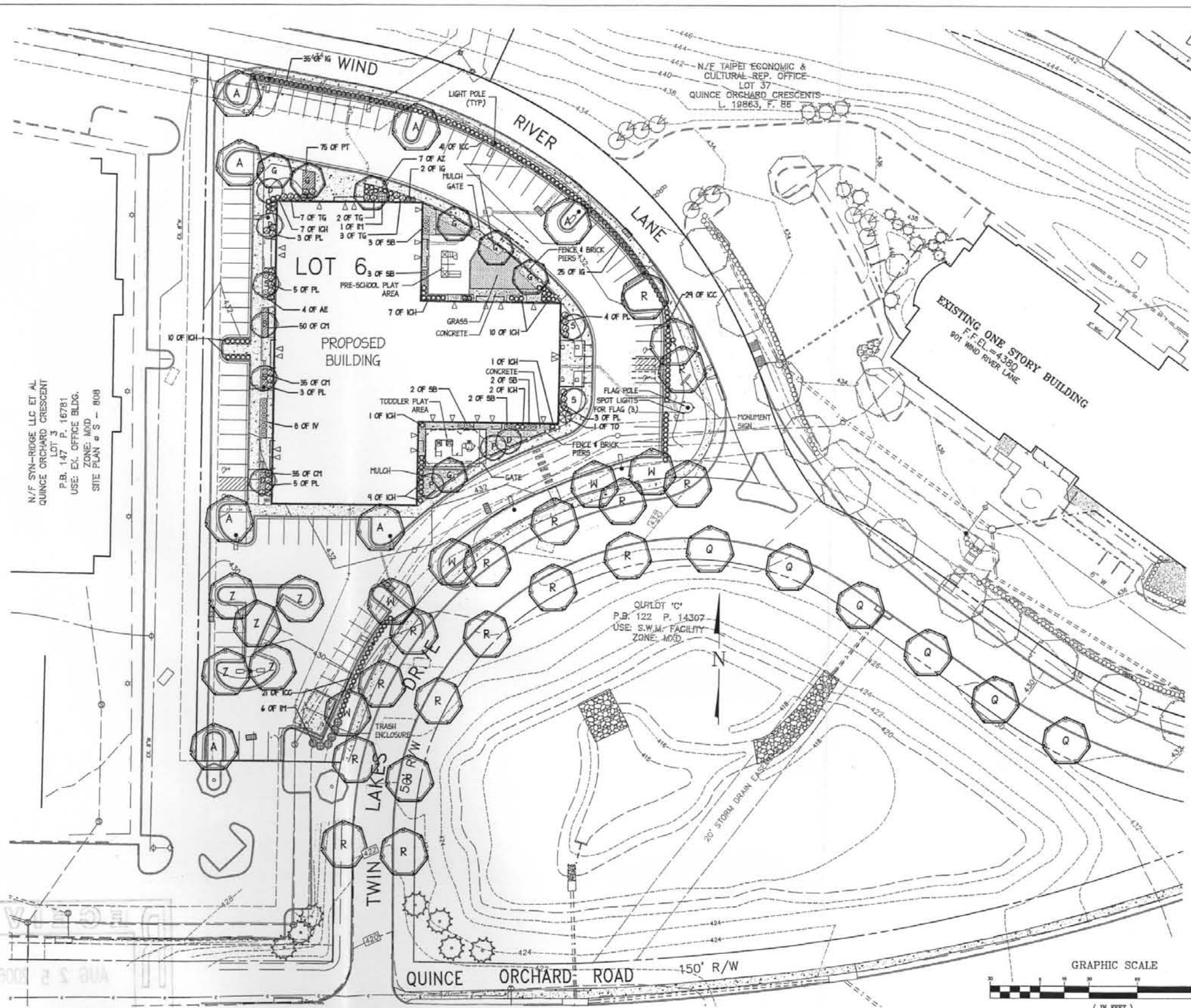
OWNER
Wynn River, L.L.C.
Post Office Box 228
Clarksville, Maryland 21029
(410) 531-5539

NO.	DATE	DESCRIPTION	BY
2	8/21/08	Rev. Entrance @ Twin Lakes Drive	B.J.D.
1	07/07/06	SDP submission to City	B.J.D.

JOINT EXHIBIT

#24

SDP-06-002

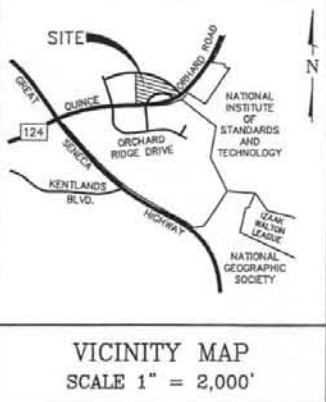


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LEGEND

- Proposed Shade Trees
- Proposed Ornamental Trees
- Proposed Evergreen Trees
- Proposed Shrubs
- Proposed Ground Cover
- Seasonal Color



LANDSCAPE PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	CAL	HGT	SPD	ROOT	NOTES
SHADE TREES								
A	7	Acer rubrum 'October Glory'	October Glory Red Maple	2'-25"			DBS	
G	7	Quercus macrocarpa v. nemora	Shademaster Honeylocust	2'-25"			DBS	
Q	6	Quercus prinus	Pin Oak	2'-25"			DBS	
R	17	Quercus rubra	Red Oak	2'-25"			DBS	
W	5	Quercus phellos	Willow Oak	2'-25"			DBS	
Z	5	Zelkova serrata 'Village Green'	Village Green Japanese Zelkova	2'-25"			DBS	
EVERGREEN TREES								
TO	1	Thuja occidentalis 'Tussock'	Mossy Arborvitae		5'-6'		Cont.	
ORNAMENTAL TREES								
D	4	Cornus x 'Constellation' (Rutger)	Constellation Dogwood		6'-10'		DBS	
S	5	Malus virginiana	Sweetbay Magnolia		8'-10'		DBS	
F	2	Prunus x 'nana' 'Charm'	Charm Cherry		5'-10'		DBS	
DECIDUOUS SHRUBS								
AE	4	Abelia x 'Edward Goucher'	Edward Goucher Abelia		24-30"		Cont.	36" o.c.
IV	5	Rosa virginica 'Henry's Garnet'	Henry's Garnet Sweetbriar		18-24"		Cont.	36" o.c.
SB	12	Syringa x 'Sandalwood' 'Anthony Waterer'	Anthony Waterer Syringa		15-24"		Cont.	36" o.c.
EVERGREEN SHRUBS								
AZ	4	Aspidistra 'Dorsetshire Valley White'	Dorsetshire Valley White Aspidistra		15-24"		Cont.	36" o.c.
IC	3	Illex crenata 'Mistral'	Mistral Japanese Holly		24-30"		Cont.	36" o.c.
IC	60	Illex crenata 'Compacta'	Compact Japanese Holly		24-30"		Cont.	36" o.c.
ICH	37	Illex crenata 'Holly'	Holly Japanese Holly		18-24"		Cont.	36" o.c.
IG	42	Hamamelis 'Shanmook'	Shanmook Hamamelis		24-30"		Cont.	36" o.c.
IM	2	Illex crenata 'China Bay'	China Bay Holly		36-42"		Cont.	40" o.c.
PL	24	Prunus laurocerasus 'Olivus Luyken'	Olivus Luyken Cherry Laurel		30-36"		Cont.	40" o.c.
TG	12	Taxus x media 'Greenwave'	Greenwave Yew		24-30"		DBS	40" o.c.
ORNAMENTAL GRASSES & GROUNDCOVERS								
CM	120	Carex acutiformis 'Ice Dance'	Ice Dance Japanese Sedge				#1 Cont.	12" o.c.
PT	75	Pachysandra terminalis	Japanese Spurge				#1 Cont.	12" o.c.

CITY OF GAITHERSBURG MAYOR & COUNCIL
 31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877

SCHEMATIC DEVELOPMENT PLAN APPROVAL

AT THE REGULARLY SCHEDULED MEETINGS OF THE MAYOR AND CITY COUNCIL HELD ON: _____ WAS GRANTED

SCHEMATIC DEVELOPMENT PLAN APPROVAL BY RESOLUTION _____ WITH _____ CONSENTS.

DATE _____ BY _____

NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE MAYOR & CITY COUNCIL.

APPLICANT

Goddard School
 2080 Yellow Springs Road
 Frederick, Maryland 21702
 Tel: (301) 631-6699
 Fax: (301)-682-7088

OWNER

Wynn River, L.L.C.
 Post Office Box 228
 Clarksville, Maryland 21029
 (410) 531-5539

ARCHITECT

See Lin & Associates
 4340 East West Highway, Suite 105
 Bethesda, Maryland 20814
 (301) 986-9300

#SDP-00-002
 TAX MAP FS 123

WSSC 222 NW 11

**SCHEMATIC DEVELOPMENT PLAN
 LANDSCAPE PLAN
 QUINCE ORCHARD CRESCENTS
 LOT 6 (P.B. 159 P. 18016)
 9TH ELECTION DISTRICT - City Of Gaithersburg - MARYLAND**

Macris, Hendricks & Glascock, P.A.
 Engineers • Planners • Surveyors
 (301) 670-0840
 FAX (301) 948-0693
 WWW.MHGPA.COM

Suite 120
 9220 Wightman Road
 Montgomery Village, Maryland
 20886-1279

Designed
 BJD
 Date
 8-24-06
 Job No.
 89-142-95

JOINT EXHIBIT
 #25
 SDP-06-002

NO.	DATE	DESCRIPTION	BY



August 25, 2006

Dear Ms. Marsh,

Thank you again for meeting with us after the joint Planning Commission/City Council Public Hearing on August 7, 2006 to review comments and suggestions about our application for a "Change in Use" of space within the building being located at 900 Wind River Lane. This note is to summarize our discussion, the planning staff's comments and our responses to the comments. In each case, we have tried very hard to accommodate the planning staff's feedback and comments and we believe we have in fact met all of your objectives. These changes have been incorporated into an updated set of Site Plan drawings which we are providing to you prior to the record closing on Monday 8/28/06. Please use these updates for the formal review and recommendation process that will occur with the Planning Commission on 9/6/06.

STAFF COMMENT 1: It was made clear that we needed to finalize the specific amount of space that we would be using for "Educational Facility use" prior to the Planning Commission recommendation vote on 9/6/06.

RESPONSE 1: We have in fact modified our plans to accommodate a variety of factors, including feedback from the city. We have reduced the amount of space that the school will consume to ~13,000 SF. One of the office spaces originally planned for school use will continue in its original classification as "office space". The office space closest to Quince Orchard Road (originally labeled "Gymnasium") will continue under its original "office space" classification. The following design changes have occurred to the planned school:

- **Indoor Gymnasium:** The Goddard School planned for this location will continue to have an indoor gymnasium (although a smaller size).
- **Capacity Reduction:** The plans for the school have also reduced the capacity of the school from 237 students to 222 students (we have eliminated a classroom).
- **Employee Reduction:** As a result of eliminating a classroom and the corresponding students, we have also reduced the number of employees to 33. All of these changes have been reflected in the updated site plan drawings.

STAFF COMMENT 2: A suggestion was made that the "flow" of the parking lot could be further optimized. With two entrances/exits located on Wind River Lane, all the traffic flow will be concentrated into and out of that road. A proposal by the city's traffic engineer was to re-locate the entrance/exit that is directly across from the Tectro building over to Twin Lakes Drive.

RESPONSE 2: As you will note in the updated site plan, we have in fact moved this entrance/exit as proposed by the city. This not only improves the traffic flow in the facility, but it adds 6 additional parking spaces directly across from the entrance of the proposed school. As a result, this change also increased the total parking spaces from 77 to 83. Moreover, this change has located these new parking spaces directly across from the school where they will be used for parent pick-up/drop-off.

STAFF COMMENT 3: 13,000 SF will be used as an Educational Facility which is an approved use within MX-D zoning. The parking ordinances require 1 space/employee. The planning staff felt that a larger ratio of parking/employee would improve the facility's operation. It was felt that getting as close to 1.5 spaces/employee would be optimal. In addition to this, the 9900 SF of office space needed to remain as it was planned originally at 3.3 spaces/1000 SF.

RESPONSE 3: A number of modifications were made to accommodate this feedback. First, 6 additional parking spaces were added to the site (see Comment 2). Second, the school reduced its planned occupancy to reduce the number of students and therefore the number of employees at the site. We are pleased to report that we were able to insure that not only will the 9900 SF of office space continue to meet the 3.3 spaces/1000 SF requirement, but the 13,000 SF of "Educational Facility Use" will comply with the 1.5 spaces/employee objective:

1. Office Space:	~9900 SF:	33 spaces
2. School Use:	~13,000 SF:	50 spaces
• Employees:		33 spaces
• Parent Pick-Up/Drop-off:		17 spaces
3. TOTAL:	~22,900 SF:	83 spaces

STAFF COMMENT 4: The city's planning staff commented that the spaces planned for parent pick-up/drop-off should be marked for that use.

RESPONSE 4: It has been agreed that the 17 spaces nearest the school's entrance (9 directly across from the entrance + the 6 new spaces + 2 additional spaces directly next to the 6 new spaces = 17 total) will be marked for Goddard School Parent Pick-Up/Drop-Off between the hours of 7:00 – 9:30 a.m. and 3:00 – 6:00 p.m.. This is one more than the 16 that the city's traffic engineer recommended and three times the 6 parent pick-up/drop-off spaces that are available at our Frederick, MD school which supports 110 children.

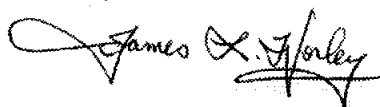
STAFF COMMENT 5: A comment regarding the playground was made. The comment was that the school needed to insure the playground was in compliance with regulatory standards.

RESPONSE 5: The playground layout is one of Goddard Systems' approved configurations. These configurations are designed to meet the requirements defined within the U.S. Consumer Product Safety Commission's Handbook for Playground Safety, Publication 325. Moreover, Goddard Systems' certified Playground Inspector will validate the playground's safety at opening.

GENERAL NOTE: Although not a recommendation from the planning staff, an additional change was made to the site plan. The original dumpster location was expanded to accommodate a second dumpster. This consumed 1 parking space. A minor modification to the parking island directly across from the dumpster location permitted one additional parking space to be gained. As a result, the total parking within the facility remains at 83.

Any questions, please contact either me (301) 275-4061 or Brian Donnelly at MHG.

Sincerely,



Jim Worley
Executive Officer
EE Commercial Real Estate Services, LLC

5. Applicant is to obtain road code waivers for the public road and various private alleys;
 6. Applicant is to continue to work with staff on a tenant relocation plan;
 7. Applicant is to submit to the Planning Commission design guidelines that fulfill the requirements of § 24-22.3(f) before preliminary plan submission;
 8. Applicant is to address all WSSC comments before preliminary plan submission;
 9. Applicant is to limit units outside the designated flood plain and stream valley buffers;
 10. Applicant is to provide MCPS data for effective school cluster;
 11. Applicant is to provide traffic analysis that is needed for DPWPM85;
 12. Applicant is to provide comprehensive amenities package; and
 13. Applicant is to continue to work with staff on the application Option as it relates to planning and design.
- Vote: 4-1 (Opposed: Winborne)



SP-05-0005 -- The Crescents at Quince Orchard Park
 900 Wind River Lane
 22,900-Sq.Ft. Building and Parking
 FINAL PLAN REVIEW

MXD Zone

Associate Planner Marsh located this site on a location map and introduced the applicant.

Engineer for the applicant, Brian Donnelly, Macris, Hendricks and Glascock, identified the applicant as Highland Development Corporation and Lot 6, which is the subject of this application, as 2.03-acres within The Crescents, noting it is the last parcel to be developed. He referenced the schematic development plan, approved in 2000, noting Lot 7 was constructed and recently received occupancy permits. He indicated Lot 6 is proposed for office condominiums, noting the circulation system within the site is accessed off an existing driveway serving the offices to the west of the site. He indicated the proposed parking along that driveway would face the existing parking of the offices on the western lot.

Mr. Donnelly stated the proposed plan meets or exceeds the development standards of the MXD Zone in terms of parking, greenspace, and internal landscaping. He discussed the stormwater management system, which is already provided on adjoining Outlot C to the southeast, as well as water/sewer provisions. He added that the applicant would provide ground water recharge trenches collected from the roofs to encourage infiltration, and a public sidewalk connection along the property frontage.

In response to Chair Bauer, Planning and Code Administration Director Ossont discussed the proposed parking lot as it relates to the adjoining parking area to the west, and noted that the paving for the existing entrance driveway would be extended for Lot 6.

Architect for the applicant, Douglas Soe Lin, Soe Lin and Associates, presented the proposed elevations for this one-story office building, noting 20 feet of height, dark pink brick, and a medium gray metal roof enclosure for mechanical equipment. He noted seven building

entrances with green fabric awnings. In response to Chair Bauer, he noted the proposed building material would match that of the adjoining building, but not the color.

Testimony from the public included:

Britta Dean, Diamond Farms resident, inquired about the difference in color for this building and the number of condominiums. Mr. Soe Lin stated that the latter could fluctuate depending on the tenants/purchasers, adding, however, that the square footage of the building would remain unchanged. Mr. Soe Lin presented a material sample and noted that the actual color is less pink than shown on the rendering, adding that the existing building's material could not be matched so it was best to make it different.

Ms. Marsh stated the plan is in conformance with §§ 24-170 and 24-171 subject to conditions that she listed. Chair Bauer recommended the dumpster enclosure gate not be chain link and Commissioner Hopkins added that the gate should provide more screening than 1-½ inch open slats. Planning and Code Administration Director Ossont suggested language for the gate detail as listed in the motion below. Commissioner Hopkins additionally recommended a directional sign for this building at the entrance on Twin Lakes Drive. Mr. Ossont suggested having the building address prominently displayed at the Twin Lakes Drive site entrance.

Vice-Chair Hicks moved, seconded by Commissioner Hopkins, to grant SP-05-0005 - The Crescents at Quince Orchard Park, FINAL PLAN APPROVAL, with the following conditions:

1. Applicant is to provide masonry screening, which should match the building elevations, with a gate detail for the dumpster enclosure to be approved by staff;
2. Forest conservation plan is to be approved by DPWPM&E before the issuance of site work permits;
3. Drainage area details are to be approved by DPWPM&E before the issuance of site work permits; and
4. Photometric plan is to be approved by DPWPM&E before the issuance of site work permits.

Vote: 5-0

FROM THE COMMISSION

Commissioner Levy

1. Voiced a concern that the residential character of the Brookes/Russell Addition area would be lost, given the number of homes in that area that are being converted to offices.
2. Thanked Planning and Code Administration Director Ossont for expeditiously following up on his request for modifications to the draft Sign Ordinance.
3. Thanked the Mayor and City Council for recognizing the Planning Commission's work with an stipend increase.

COMMUNICATION: PLANNING COMMISSION

MEMORANDUM TO: Planning Commission

FROM: Jacqueline Marsh, Planner

DATE: August 30, 2006

SUBJECT: SDP-06-002 – Application request to amend the previously approved Schematic Development Plan, SDP-00-002, The Crescents at Quince Orchard Park office to a private educational institution for 13,000 square feet of the previously approved building. The remaining 9,900 square feet will be office¹. The subject property is located at 900 Wind River Lane.

APPLICANT

Jim Worley
The Goddard School
2080 Yellow Springs Road
Frederick, MD 21702

PROPERTY OWNER:

Wynn River, LLC
5602 Baltimore National Pike, Suite 400
Baltimore, MD 21228

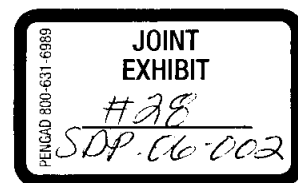
REQUEST:

The applicant is proposing to change the approved schematic development plan SDP-00-002, from 22,900 square feet of office to 13,000 square feet of a private education facility. The remaining 9,900 square feet will remain office.

LOCATION:

The subject property is located at 900 Wind River Lane, located on Lot 6 of the Quince Orchard Park Crescents. The lot has frontage on Wind River Lane to the north and Twin Lakes Drive to the south. The Taipei Economic and Cultural Respective Office (TECRO) building is to the east and two office buildings are to the west.

¹ The original application for SDP-06-002 requested a change of use for 14,517 square feet to private educational facility. The remaining 8,383 square feet was to remain office. The modified SDP reflects the change to the final square footage as stated above.



TAX MAP REFERENCE:

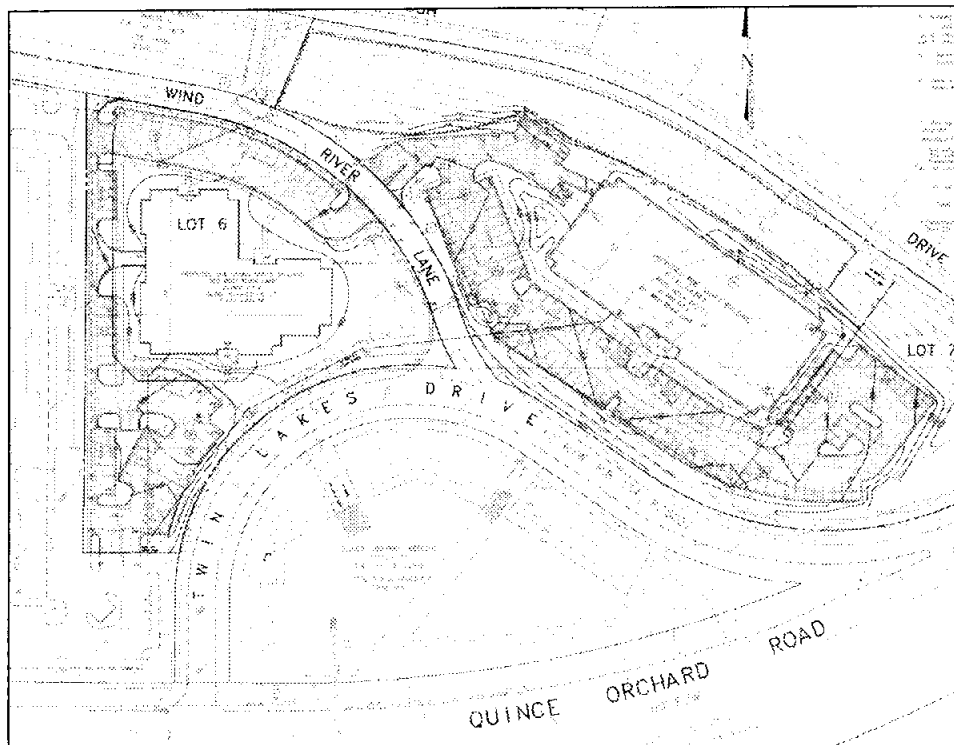
Tax Sheet: FS23

Tax ID Number: 09- 02900216

BACKGROUND:

The subject property is part of the original annexation of 212 acres in 1982. In August of 1991, the annexation agreement, X-129, was amended to allow for changes to the size of the property, access points, square footage cap, and the envisioned transportation improvements. In 1993, the property was rezoned from I-3 (Industrial and Office Park) to the MXD (Mixed Use Development) Zone, as part of the Zoning Map Amendment Application Z-275 for Quince Orchard Park. The accompanying sketch plan was approved in December of 1993. The subject Crescent section was approved for office development not to exceed 150,000 square feet. The 1997 Master Plan for the area affixed an industrial/research/office land use designation to the parcel in conformance with the existing zoning.

On September 8, 2000, Quadrangle Development Corporation applied for SDP-00-002, which proposed 45,000 square feet of office use for Lots 6 and 7 of the Quince Orchard Crescents. The Planning Commission approved a waiver request for this site to allow review of an SDP that proposes less than the minimum of 100,000 square feet of office space required in the City's Zoning Ordinance [§24-160.D.9(b)(2)]. In April of 2001, the Mayor and City Council approved SDP-00-002.

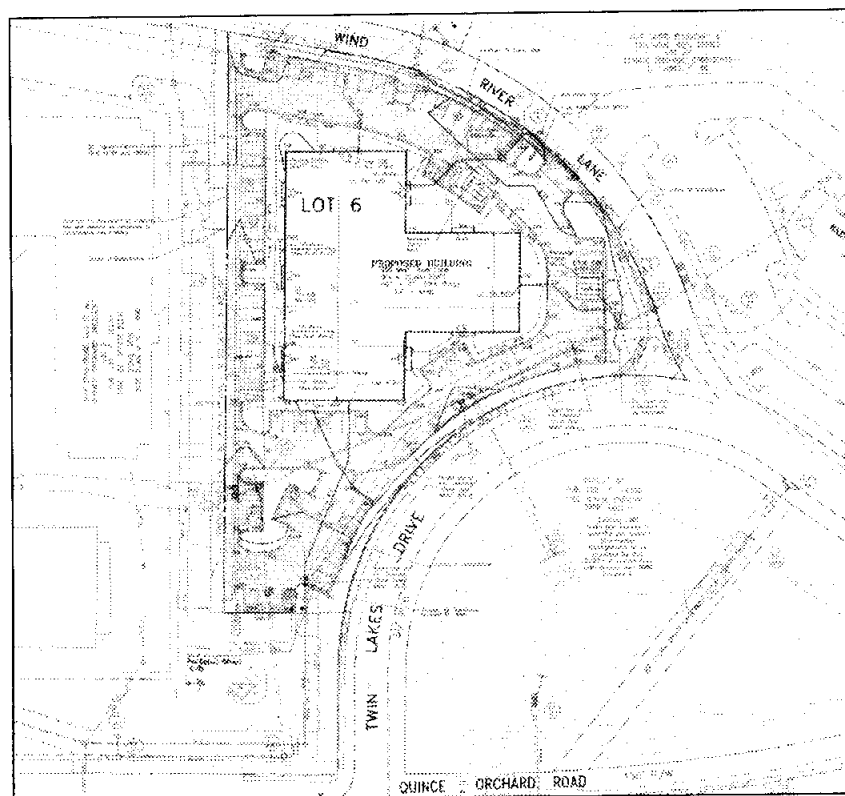


Approved SDP-00-02

On December 4, 2002, the Planning Commission approved SP-02-0010, an application for 25,000 square feet of office use on Lot 7 (TECRO), addressed as 901 Wind River Lane.

Upon completion of the City's Land Use Element of the Master Plan in 2003, the Master Plan Land Use Map designated this area as Commercial/Industrial-Research-Office. This was adopted on December 15, 2003.

On August 3, 2005, Lot 6, 900 Wind River Lane, was given final site plan approval for 22,900 square feet of office, identified as SP-05-0005. At the Planning Commission meeting, the shared parking arrangement between Lots 6 and 3 proper screening for the dumpster enclosure. The approval was granted with four (4) conditions (see Exhibit #27).



Approved SP-05-0005

The applicant filed SDP-06-002 with the Planning and Code Administration Department on July 7, 2006. A joint public hearing was held by the Mayor and City Council and the Planning Commission on August 7, 2006. The applicant proposed to convert 14, 517 square feet of office to private educational facility use. The remaining 8,383 square feet was to be office. At the joint hearing, the Council and Commission inquired about the school's hours of operation, parking spaces, parent drop off and pick up, traffic patterns, bus outings, truck deliveries and playground areas. A resident of Fernshire Farms expressed his support for the change of use.

Following the public hearing, staff met with the applicant to discuss the amount of parking onsite and accessibility issues. The applicant has since revised the amount of space to be changed to a private educational use. The revised plan now reduces the use of private educational institution to

13,000 square feet to be converted to educational use. The remaining 9,900 square feet of the building will stay as office (See Exhibit #24, Amended Site Plan).

The Planning Commission held its record open until August 28, 2006, with a recommendation scheduled to be made to the City Council at the Commission's September 6, 2006 meeting. The record for the Mayor and City Council closes on September 8, 2006.

PROPOSED USE

Site Considerations

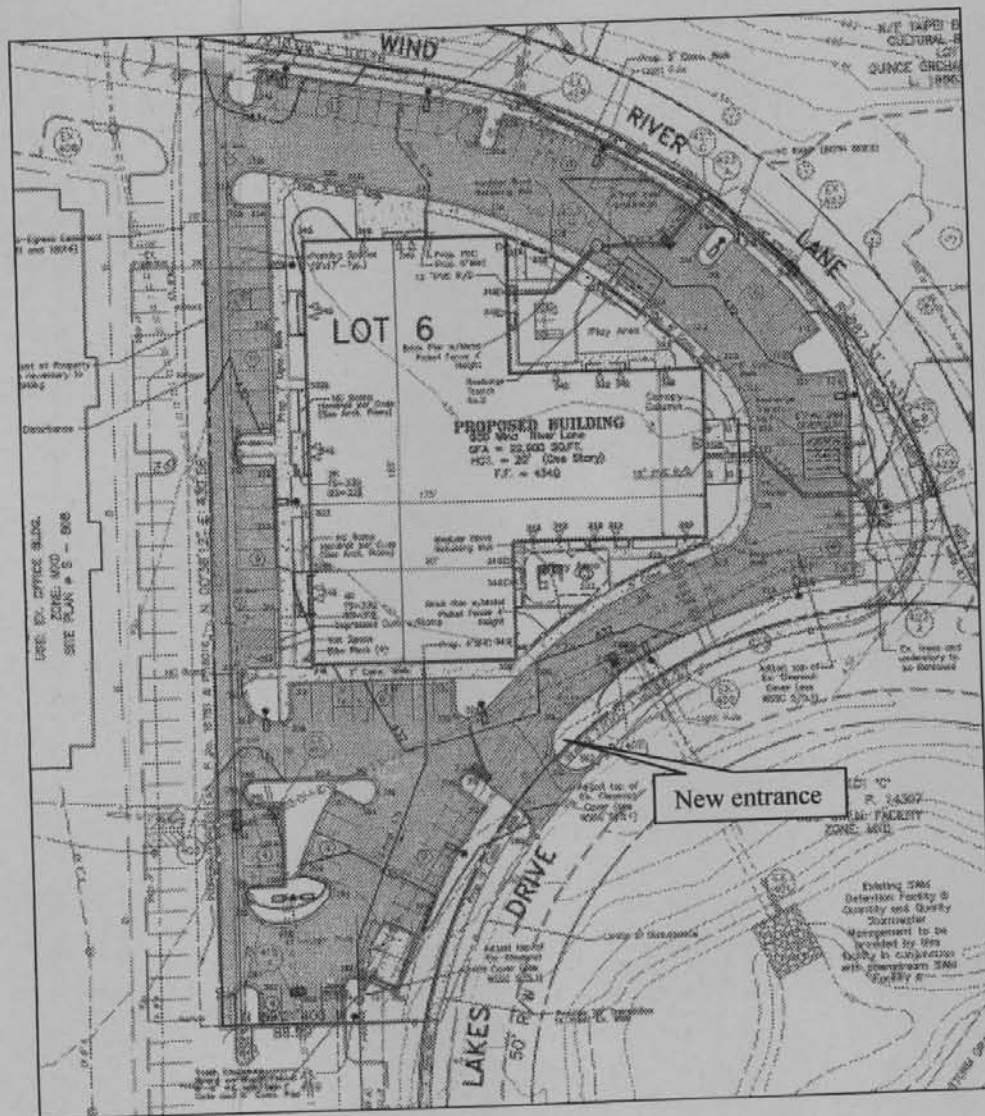
The revised site plan is for 13,000 square feet of a private educational use within a 22,900 square foot office building. The building is situated at the intersection of Wind River Lane and Twin Lakes Drive. The TECRO building is located to the west and two one-story office buildings are located to the east. The amended site plan now incorporates two separate play areas to be used for the students. Both areas are accessed directly outside the building and both include playground equipment and green space and are approximately 875 square feet each.

Parking

In response to the comments at the public hearing and at the suggestion of staff, the applicant has revised the parking calculation and configuration to provide more room and accessibility for the proposed use. Typically, educational facilities require one parking space per employee. This calculation functions well in the public school capacity where the children are either bussed in or walk. A private educational facility, such as this, should require a greater amount of parking due to the increased level of vehicular traffic with parent pick-up and drop-off. The applicant is now proposing to use the parking calculation that is required of a day-care establishment, which is 1.5 parking spaces per employee. The new parking chart is as follows:

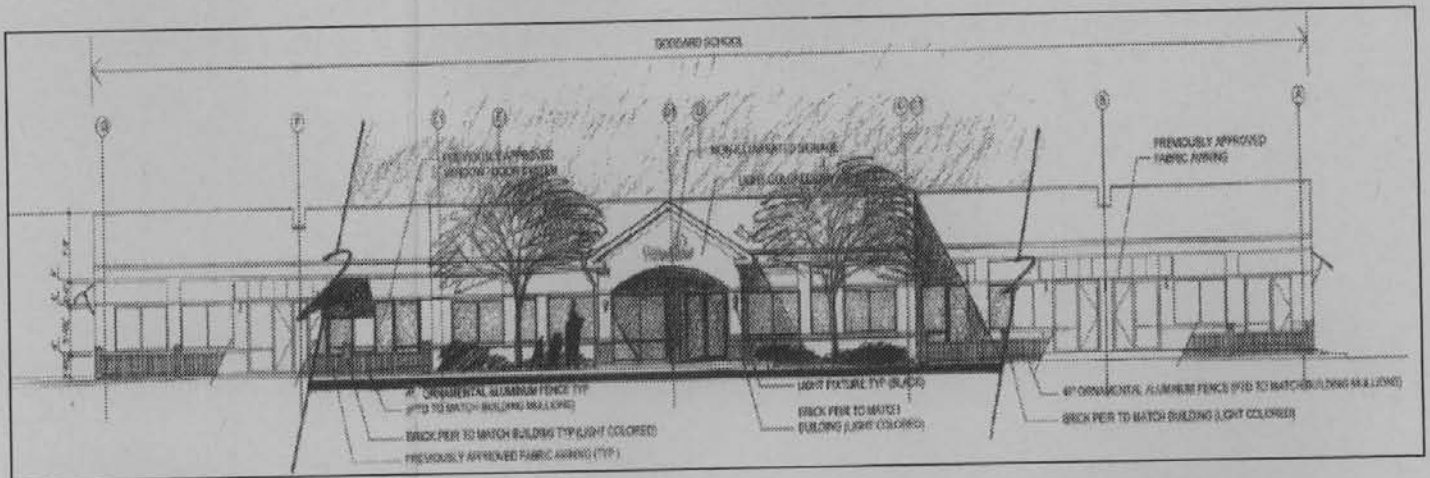
Office	9,900 sq ft @ 1 space/300 sq ft	33 spaces
Educational Facility	33 employees @ 1.5 space per employee	50 spaces
REQUIRED/PROVIDED		83 spaces

The amended site plan reflects the change in the parking layout as well as the new location for ingress and egress to the site. At the time of final site plan approval, the access was located on Wind River Lane. The new entrance and exit onto the site is now located on Twin Lakes Drive. This location change provided additional parking spaces to be placed closer to the school's only entrance for parents and students.



Architecture/Landscape

The architecture of the building will remain the same, with the exception of identification signage for the school. The one-story building façade will have light-colored brick, with green accented awnings, and a gray metal screen wall to shield equipment on the roof.



The landscape features on the outside of the building will change in order for the playground equipment to be installed. All outside areas for the students will be fenced in with a four foot high ornamental aluminum fence with two feet wide brick piers, which will match the building. The landscape plan has changed slightly due to the new entrance/exit. The dumpster enclosure is located to the south-western portion of the parking lot. The amended site plan shows the addition of another dumpster, which has been screened by landscaping. Because this area will be in close proximity to Quince Orchard Road, staff is recommending both dumpsters be enclosed with masonry screening to match the building. This was a condition of the original site plan, SP-05-0005.

REQUIRED FINDINGS:

DIVISION 19. MXD ZONE, MIXED USE DEVELOPMENT

* * *

Sec. 24-160D.10. Findings required.

- (b) The city council shall approve a schematic development plan only upon the finding that:
- (1) The plan is substantially in accord with the approved sketch plan; and
 - (2) The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone; and
 - (3) The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and
 - (4) The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and
 - (5) Existing or planned public facilities are adequate to service the proposed development contained in the plan; and

- (6) The development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and
- (7) The plan, if approved, would be in the public interest.

STAFF RECOMMENDATION:

Staff finds that the application complies with the requirements of the MXD Zone, Division 19 of the City Zoning Ordinance as it meets with the findings required by the Mayor and City Council to approve an SDP. This is accomplished by the following:

- (1) The plan is similar to what was approved in accordance with the sketch plan for Quince Orchard Park, which proposed a large comprehensively planned mixed use development of residential, office and other commercial land uses;
- (2) The plan meets the purposes and objectives of the zone by adding to the existing diversity of the area, which includes office, residential, and commercial uses, which defines the true spirit of Mixed Use Zoning;
- (3) The Master Plan recommended this area for a land use designation of Commercial/Industrial-Research-Office. An educational facility is a compatible use with this land use designation;
- (4) The proposed use will be compatible with the existing uses in that it will provide a service that is valued by the community. The school creates an opportunity that may benefit the residents City of Gaithersburg;
- (5) Many of the public facilities and services are in place for the building. As such, there will not be a burden imposed upon the infrastructure, both public and private;
- (6) The plan for a school is adequate to provision of the public facilities and private amenities. The school use is an added beneficial amenity to the neighborhood by providing a service that can be utilized by the office patrons and community residents;
- (7) It is in the public's interest to have a private educational facility located in this area. The school could be well-utilized by the people who work in the office developments that surround this area as well as the residents of the adjacent neighborhoods.

Staff recommends that the Planning Commission recommend APPROVAL of SDP-06-002, an amendment to SDP-00-002, to the Mayor and City Council, as it complies with §24-160D.10(b) and §24-198(c) of the Zoning Ordinance, with the following conditions:

1. The Mayor and Council shall establish the parking calculation for the subject private educational use to be 1.5 parking spaces per employee;
2. The applicant is to provide masonry screening for the dumpster enclosure, to match the existing building elevations; and
3. The applicant shall provide designated parking areas for the parent drop-off and pick-up and strictly enforce No Parking along the sidewalk/curbs.

STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: September 6, 2006

SCHEM. DEV. PLAN: **SDP-06-002**

TITLE: Goddard School at Quince Orchard Crescents

REQUEST: **RECOMMENDATION TO M&C**

ADDRESS: 900 Wind River Lane

ZONE: MXD (Mixed Use Development) Zone

APPLICANT/REPRESENTATIVE/ATTORNEY/DEVELOPER: (as applicable)

Applicant: Jim Worley – Goddard School
Engineer: Brian Donnelly – Macris, Hendricks, & Glasscock
Owner: Wynn River, LLC

STAFF PERSON: Jacqueline Marsh, Planner
Trudy Schwarz, Community Planning Director

Enclosures:

Staff Comments
#23: Minutes from Joint Public Hearing (8-7-06)
#24: Amended Exhibit #8 – SDP-06-002 - Site Plan
#25: Amended Exhibit #9 – SDP-06-002 - Landscape Plan
#26: Letter from Jim Worley, submitted August 28, 2006
#27: Minutes from Planning Commission, August 3, 2005
#28: Staff Analysis

JOINT
EXHIBIT
#29
SDP-06-002
PENGAD 800-631-6989

STAFF COMMENTS

The joint public hearing for this application to convert 13,000 square feet of office use to a private educational facility was held on August 7, 2006. The Planning Commission's record was duly closed on August 28, 2006. There have been thirteen new exhibits added to the record, which include updated site plans and a letter submitted by the applicant, and the staff analysis.

The attached staff analysis addresses the entire application and includes staff's recommendations. See Exhibit #28.

Conclusion: Staff recommends to the Commission **TO RECOMMEND APPROVAL OF SDP-06-002 TO THE MAYOR AND CITY COUNCIL, WITH THE FOLLOWING CONDITIONS:**

1. The Mayor and Council shall establish the parking calculation for the subject private educational use to be 1.5 parking spaces per employee;
2. The applicant is to provide masonry screening for the dumpster enclosure, to match the existing building elevations;
3. The applicant shall provide designated parking areas for the parent drop-off and pick-up and strictly enforce No Parking along the sidewalk/curbs.

COMMUNICATION: PLANNING COMMISSION

MEMORANDUM TO: Mayor and City Council

VIA: David Humpton, City Manager

FROM: Trudy Schwarz, Community Planning Director

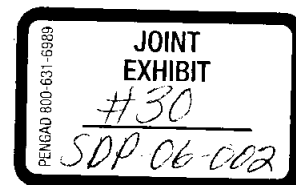
DATE: September 8, 2006

SUBJECT: SDP-06-002 -- Request to amend the previously-approved Schematic Development Plan SDP-00-002, The Crescent at Quince Orchard Park. The current application (SDP-06-002) requests a change of use from office to a private educational institution for 14,517 square feet of the previously-approved building. The remaining 8,383 square feet will be office. The subject property is located at 900 Wind River Lane, Lot 6, Quince Orchard Park Crescent, and is in the Mixed Use Development (MXD) Zone.

At its regular meeting on September 6, 2006, the Planning Commission made the following motion:

Commissioner Winborne moved, seconded by Vice-Chair Levy, to recommend APPROVAL of SDP-06-002 to the Mayor and City Council, as it complies with Zoning Ordinance §§ 24-160D.10(b) and 24-198(c), with the following conditions:

1. The use for the school shall be established at 13,000 square feet and for the office at 9,900 square feet, as shown on the amended site plan (Exhibit 24);
2. The Mayor and Council shall establish the parking calculation for the subject private educational use to be 1.5 parking spaces per employee;
3. The applicant shall provide masonry screening for the dumpster enclosure to match the existing building elevations; and



4. The applicant shall provide designated parking areas for the parent drop-off and pick-up, and strictly enforce no parking along the sidewalk/curbs.

Vote: 5-0